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TO: **Examiner: P. VRETTAKOS** FAX NUMBER: **571-273-4775**

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FROM: **Matthew J. Golden** PHONE NUMBER: **(908) 298-4741**

TOTAL NO. OF PAGES INCLUDING COVER DATE: **October 11, 2005**

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Application No. 10/643,301
In Re Application H. Howlett et al.
Filed: 08/19/2003
For: Cryosurgery Device
Attorney Docket No.: FC06070-01

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- Transmittal Form (sb21) - 1 page
- Declaration of Express Abandonment per 37 CFR 1.138 - 1 page
- Certificate of Fax Transmission (sb97) - 1 page
- Fax Cover Page - 1 page



Matthew J. Golden
 Patent Director, Reg. No. 35,161

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Docket Number: FC06070-01

Application No: 10/643301

Filing Date: 08/19/2003

First Inventor: HOWLETT, Harold A.

PTO/SB/97 (09-04)

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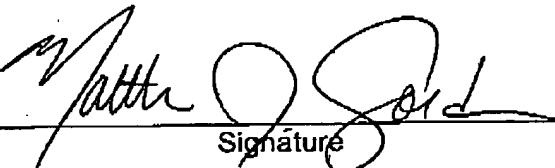
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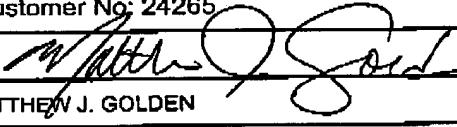
Application Number	10/643301
Filing Date	08/19/2003
First Named Inventor	HOWLETT, Harold A.
Art Unit	
Examiner Name	T. Vrettakos
Attorney Docket Number	FC06070-01

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Customer No: 24265		
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Printed name	MATTHEW J. GOLDEN		
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Patent Case: FC06070 01US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : X
H. Howlett et al. :
Serial No.: 10/643,301 :
Filed: 08/19/2003 :
For: "CRYOSURGERY DEVICE" :
-----X

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Examiner: P. Vrettakos
Group Art Unit:
Date: October 11, 2005

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DECLARATION OF EXPRESS ABANDONMENT PER 37 C.F.R. §1.138

Sir:

Applicants hereby expressly abandon the above-identified application per 37 C.F.R. §1.138 in favor of continuation-in-part application U.S. Application Serial No. 11/222,353, filed September 8, 2005. Applicants have not yet received the Official Filing Receipt for U. S. Application Serial No. 11/222,353 and request that the abandonment be entered upon completion of formalities for that application.

October 11, 2005
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Respectfully submitted,


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